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SEP 15 2004

DATE: September 15, 2004  
TO: Commissioner for Patents  
FACSIMILE NO.: 1 (703) 872-9306  
FROM: Timothy E. Nauman, Reg. No. 32,283  
RE: U.S. Patent Application Serial No. 09/648,140; filed August 25, 2000  
Attorney Docket No. : CLWZ 2 00132-1

Total number of pages (including this cover sheet): 8

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CERTIFICATE OF FACSIMILE

I hereby certify that this Communication and all papers indicated therein as being enclosed, are being transmitted to the United States Patent and Trademark Office at Centralized facsimile number 703-872-9306 on September 15, 2004.

By: Mary M. Schriner  
Mary M. Schriner

Date: September 15, 2004

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**SEP 15 2004**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : Jerry Schlagheck, et al.  
FOR : **DETECTION OF DEFECTS BY THERMOGRAPHIC ANALYSIS**  
SERIAL NO. : 09/648,140  
FILED : August 25, 2000  
ART UNIT : 2859  
EXAMINER : Yaritza Guadalupe  
CONFIRMATION NO. : 5345  
ATTORNEY DOCKET NO. : **CLWZ 2 00132-1**

**COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

As requested, we are faxing a copy of our prior fax which includes a copy of our check number 99060 in the amount of \$740.00 associated with the RCE filing.

To summarize, our records indicate that a Notice of Allowance and Issue Fee Due was mailed June 4, 2002. That communication apparently crossed in the mail with a Supplemental Information Disclosure Statement (IDS) mailed Jun 6, 2002 (confirmed June 11, 2002 on returned postcard).

The RCE mailed July 2, 2002 was received by the U.S. Patent and Trademark Office (PTO) on July 8, 2002 as evidenced by the date-stamped return postcard.

We received a Notice of Abandonment mailed October 16, 2003. Although phone calls were made to the PTO in an attempt to resolve that the RCE had been filed, no written submissions were made until October 16, 2002 to confirm the RCE paper submitted on July 2, 2002. An additional fax of October 2003 connected the check with the attorney docket number.

**CERTIFICATE OF FACSIMILE**

I certify that this Communication, and all documents indicated therein as being attached, are being transmitted to the United States Patent and Trademark Office to Centralized Facsimile No. 703/872-9306 and to facsimile no. 571/273-2244 on the date indicated below.

*September 15, 2004*  
Date

*Mary M. Schriener*  
Mary M. Schriener

- 2 -

On May 5, 2004, follow-up voicemails were left with the PTO.

A Status Inquiry was mailed September 8, 2004, and followed-up by our phone discussions this morning.

Last week was the first time we learned that a Notice of Allowance was allegedly mailed July 26, 2002. Our docket records do not indicate that this second Notice of Allowance was received.

We believe that the RCE was responsive to the Notice of Allowance mailed June 4, 2002, and request that it be acknowledged and considered, and that the prior art submitted in the Supplemental IDS also be considered.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

15 September 2004  
Date

Timothy E. Nauman  
Timothy E. Nauman  
Reg. No. 32,283  
1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, OH 44114-2518  
216/861-5582

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**(216) 861-5582**

**DATE:** October 22, 2003  
**TO:** U.S. Patent and Trademark Office  
**ATTENTION:** Examiner Yaritza Guadalupe (Art Unit 2859)  
**FACSIMILE NO.:** (703) 746-4467  
**FROM:** Timothy E. Nauman, Reg. No. 32,283  
**RE:** U.S. Serial No. 09/648,140 (Schlagheck, et al.)  
Attorney Docket No.: CLWZ 2 00132-1

Total number of pages (including this cover sheet): **3**

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**Examiner Guadalupe:**

Per our discussion, attached is the check statement indicating that check number 99060 in the amount of \$740 was written in connection with CLWZ 2 00132, which is the attorney docket number for this application. Also attached is the cancelled check number 99060 indicating that it was cashed/endorsed by the PTO on July 9, 2002.

We trust this is responsive to your request and appreciate your assistance.

**CERTIFICATE OF FACSIMILE**

I hereby certify that the noted PAPERS are being transmittal by facsimile to Commissioner for Patents, ART UNIT 2859, ATTENTION EXAMINER YARITZA GUADALUPE, at facsimile number 703-872-9318 on October 22, 2003.

By: Mary M. Schriener  
Mary M. Schriener

Date: October 22, 2003

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Inventor/Applicant: <u>Jerry Schluhachke, et al.</u>		Pat. No. <u>071643140</u>
Title: <u>Detection of Defects by Thermography</u>		Ser. No. <u>071643140</u>
Attorney Docket No. <u>CW 2 0132</u>		Filed: <u>July 02, 2002</u>
Initials: <u>JS</u>		Date: <u>July 02, 2002</u>
<input type="checkbox"/> <b>PATENT/DESIGN APPLICATION</b>		
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